

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FAYETTEVILLE DIVISION**

**JILL DILLARD, JESSA SEAWALD,
JINGER VUOLO, and JOY DUGGAR**

PLAINTIFFS

VS.

NO. 17-CV-05089-TLB

**CITY OF SPRINGDALE, ARKANSAS;
WASHINGTON COUNTY, ARKANSAS;
KATHY O'KELLEY, in her individual
and official capacities;
RICK HOYT, in his individual and official capacities;
STEVE ZEGA, in his official capacity;
BAUER PUBLISHING COMPANY, L.P.;
BAUER MAGAZINE L.P.;
BAUER MEDIA GROUP, L.P.;
BAUER, INC.;
HENRICH BAUER NORTH AMERICA, INC.;
BAUER MEDIA GROUP USA, LLC; and
DOES 1-10, inclusive**

DEFENDANTS

**MOTION TO STRIKE OR REFORM PLAINTIFFS' EVIDENTIARY OBJECTIONS
TO SEPARATE WASHINGTON COUNTY DEFENDANTS' MOTION
FOR SUMMARY JUDGMENT AND EXHIBITS (DOC. # 156)**

In conjunction with their Response to the County Defendants' Motion for Summary Judgment, the Plaintiffs filed "Evidentiary Objections to Washington County Defendants' Statement of Facts and Supporting Exhibits" (Doc. # 156). In that document, however, the Plaintiffs (1) do not specifically identify any allegedly inadmissible proof, instead asserting broadly that various affidavits offered by the Defendants "contain" inadmissible proof, without ever identifying the same, and (2) do not offer any argument as to why any of the referenced - but unidentified - proof might be inadmissible (effectively depriving the Defendants of their right to be heard), instead offering only conclusory assertions and broad citations to the Rules. This approach - which would be tantamount to making objections after the examination of a witness in court, but objecting only broadly to "some" of the testimony offered and making no argument supporting the objection(s), relying only on labels - is wholly inconsistent with the Federal Rules of Evidence. Accordingly, the Court should strike the Plaintiffs' objections or require them to reform their filing to specifically identify the objectionable proof and offer argument in support of their objections so that the Defendants have an

opportunity to be heard.

In the event that the Plaintiffs' objections are not stricken or clarified, the Separate County Defendants deny the objections and assert that the evidence in question is all verified and admissible evidence under the Federal Rules of Civil Procedure, that there is no inadmissible hearsay, "legal conclusions," or otherwise inadmissible testimony in any of the affidavits, and that all such testimony is expected to be offered at the trial of this case in an admissible form.

Respectfully submitted,
Rick Hoyt & Washington County,
Separate Washington County Defendants

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